

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ENCOMPASS INSURANCE COMPANY OF
MASSACHUSETTS,

Plaintiff-Counterclaim Defendant,

vs.

JOSEPH D. GIAMPA, FREDERICK T.
GIAMPA, ADVANCED SPINE CENTERS,
INC. D/B/A FIRST SPINE REHAB, FUTURE
MANAGEMENT CORPORATION, FUTURE
MANAGEMENT BUSINESS TRUST,
EDWARD KENNEDY, BRIAN J. CULLINEY
D.C. AND JENNIFER McCONNELL, D.C.

Defendants.

CIVIL ACTION NO.: 05-11693 RCL

PLAINTIFF'S FIRST VOLUNTARY DISCOVERY DISCLOSURE

I. INTRODUCTION

Pursuant to Fed. R. Civ. P. 26(a)(1), plaintiff, Encompass Insurance Company of Massachusetts (hereinafter "Encompass") provides the following initial voluntary discovery disclosure without waiving any rights to object to requests for discovery based upon the attorney-client privilege, work-product doctrine, and the exception for materials produced in anticipation of litigation, or other appropriate objection.

Encompass expressly reserves the right to supplement discovery information provided herein pursuant to Court Order and/or by operation of applicable law or rules, or by appropriate motion.

II. INITIAL VOLUNTARY DISCOVERY DISCLOSURE

A. Identification of Witnesses: Rule 26(a)(1)(A)

Individuals and entities likely to have discoverable information relevant to disputed facts alleged with particularity in Encompass' Second Amended Complaint (hereinafter "Complaint") include:

1. Michael Bruno, SIU Analyst, Encompass Insurance Company, is likely to have discoverable information related to the factual allegations set forth in the Complaint, as well as those facts set forth in his Affidavit previously filed with the Court;
2. Colleen Potris, Claims Representative, Encompass Insurance Company, is likely to have discoverable information related to the factual allegations set forth in the Complaint;
3. Joseph D. Giampa, Massachusetts, is likely to have discoverable information pertaining to the allegations set forth in the Complaint whereas Encompass alleges that he initiated, maintained and controlled an ongoing insurance fraud scheme, with the intended objective to illegally obtain money through false and fraudulent medical billing submitted to it or for which it became responsible;
4. Frederick T. Giampa, Massachusetts, is likely to have discoverable information pertaining to the allegations set forth in the Complaint whereas Encompass alleges that he initiated, maintained and controlled an ongoing insurance fraud scheme, with the intended

objective to illegally obtain money through false and fraudulent medical billing submitted to it or for which it became responsible;

5. Advanced Spine Centers Inc. d/b/a First Spine Rehab, Massachusetts, and the principals, officers, and employees of which are likely to have discoverable information pertaining to the allegations set forth in the Complaint whereas it is alleged that First Spine initiated, maintained and controlled an ongoing insurance fraud scheme, the intended object of which was to illegally obtain money through false and fraudulent medical billing submitted to Encompass or for which Encompass became responsible;
6. Future Management Corporation and the principals, officers and employees thereof are likely to have discoverable information pertaining to the allegations set forth in the Complaint whereas it is alleged that Future Management initiated, maintained and controlled an ongoing insurance fraud scheme, the intended object of which was to illegally obtain money through false and fraudulent medical billing submitted to Encompass or for which Encompass became responsible;
7. Edward Kennedy, Massachusetts, is likely to have discoverable information pertaining to the allegations set forth in the Complaint whereas Encompass alleges that he initiated, maintained and controlled an ongoing insurance fraud scheme, with the intended objective to illegally obtain money through false and fraudulent

medical billing submitted to Encompass or for which it became responsible;

8. Brian J. Culliney, Massachusetts, is likely to have discoverable information pertaining to the allegations set forth in the Complaint whereas Encompass alleges that he initiated, maintained and controlled an ongoing insurance fraud scheme, the intended object of which was to illegally obtain money through false and fraudulent medical billing submitted to Encompass or for which it became responsible;
9. Jennifer McConnell, Massachusetts, is likely to have discoverable information pertaining to the allegations set forth in the Complaint whereas Encompass alleges that she initiated, maintained and controlled an ongoing insurance fraud scheme, the intended object of which was to illegally obtain money through false and fraudulent medical billing submitted to it or for which it became responsible;
10. Rebecque Taphorn, Special Investigative Unit, Encompass Insurance Company, is likely to have discoverable information related to the factual allegations set forth in the Complaint;
11. David Taylor, D.C., 74 Main Street, Greenfield, MA 01301, is likely to have discoverable information related to the factual allegations set forth in the Complaint;

12. Michael Frustaci, D.C., 24 Welch Road, Sutton, MA 01590-1315, is likely to have discoverable information related to the factual allegations set forth in the Complaint;
13. David Smith, M.H.A., Medical Investigations Group, Inc., P.O. Box 838, Devon, PA 19333, is likely to have discoverable information regarding Encompass' investigation of the Giampa/Kennedy Chiropractic clinics;
14. Kathleen O'Malley, D.C., is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;
15. Kathy Duncan is likely to have discoverable information regarding the Future Management business operation;
16. Nadine Morin is likely to have discoverable information regarding the operation of the Future Management business operation;
17. Mercedes Rosado is likely to have discoverable information regarding the operation of the Future Management business operation;
18. Rebeca Morales is likely to have discoverable information regarding the operation of the Future Management business operation;
19. Melissa Mehigan is likely to have discoverable information regarding the operation of the Future Management business operation;

20. Brenda Gagne is likely to have discoverable information regarding the operation of the Future Management business operation;
21. Elizabeth Bowes is likely to have discoverable information regarding the operation of the Future Management business operation;
22. Aitza Mauras is likely to have discoverable information regarding the operation of the Future Management business operation;
23. Sopath Meas is likely to have discoverable information regarding the operation of the Future Management business operation;
24. Soeksa Song is likely to have discoverable information regarding the operation of the Future Management business operation;
25. Florines Mendez is likely to have discoverable information regarding the operation of the Future Management business operation;
26. Laura Hernandez is likely to have discoverable information regarding the operation of the Future Management business operation;
27. Carmencita Lowe is likely to have discoverable information regarding the operation of the Future Management business operation;
28. Daisy Foster is likely to have discoverable information regarding the operation of the Future Management business operation;

29. Marisol Rodriguez is likely to have discoverable information regarding the operation of the Future Management business operation;
30. Sandy Lavoie is likely to have discoverable information regarding the operation of the Future Management business operation;
31. Annette Bogiatto is likely to have discoverable information regarding the operation of the Future Management business operation;
32. Oksana Kovtanyuk is likely to have discoverable information regarding the operation of the Future Management business operation;
33. Donna Smith is likely to have discoverable information regarding the operation of the Future Management business operation;
34. Grace Neils is likely to have discoverable information regarding the operation of the Future Management business operation;
35. Teresa Cook is likely to have discoverable information regarding the operation of the Future Management business operation;
36. Kim Chan is likely to have discoverable information regarding the operation of the Future Management business operation;
37. Mary Ultrino is likely to have discoverable information regarding the operation of the Future Management business operation;
38. Sokeun Soun is likely to have discoverable information regarding the operation of the Future Management business operation;

39. Claire Mireault is likely to have discoverable information regarding the operation of the Future Management business operation;
40. Jennifer Tremblay is likely to have discoverable information regarding the operation of the Future Management business operation;
41. Gussina Tremblay is likely to have discoverable information regarding the operation of the Future Management business operation;
42. Wendy Fonseca is likely to have discoverable information regarding the operation of the Future Management business operation;
43. Theresa Smith is likely to have discoverable information regarding the operation of the Future Management business operation;
44. Amanda Ferullo is likely to have discoverable information regarding the operation of the Future Management business operation;
45. Jeanne Caldwell is likely to have discoverable information regarding the operation of the Future Management business operation;
46. Rohit Sharma is likely to have discoverable information regarding the operation of the Future Management business operation;
47. Larry Gray is likely to have discoverable information regarding the operation of the Future Management business operation;

48. Anthony Piscitelli is likely to have discoverable information regarding the operation of the Future Management business operation;
49. James Kennedy is likely to have discoverable information regarding the operation of the Future Management business operation;
50. Phally Samith is likely to have discoverable information regarding the First Spine business operation;
51. Sokha Dy is likely to have discoverable information regarding the First Spine business operation;
52. Doris Ortiz is likely to have discoverable information regarding the First Spine business operation;
53. Kim Kong is likely to have discoverable information regarding the First Spine business operation;
54. Clifford Winn, D.C., is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;
55. Francis Sheehan, D.C., is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;
56. Michele Merola, D.C., is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;

57. Jennifer Belesi (Levy), is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;
58. Paula Berthold is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;
59. Ronald Bavin is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;
60. Arthur Keegan, D.C., is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;
61. Ian Boehm, D.C., is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;
62. Edward Chavez, D.C., is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;
63. Karen Saint Laurent, D.C., is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;
64. Michael Davekos, D.C., is likely to have discoverable information regarding the operation of the Giampa/Kennedy chiropractic clinics;

65. All former employees of the named defendant entities, including Chiropractors, physical therapists, chiropractic aides, physical therapy assistants, physical therapy aides, receptionists, billing personnel, and other unknown former employees, are likely to have discoverable information regarding the operation of the Giampa/Kennedy Chiropractic Clinics.
66. Each of the claimants/former First Spine patients identified in Encompass' Second Amended Complaint as well as in the chart, which follows herein on page 12, may have discoverable information related to the factual allegations set forth in the Complaint.

B. Identification of Documents: Rule 26(a)(1)(B)

The following is a description by category of documents currently in the possession, custody or control of Encompass that may be relevant to disputed facts alleged with particularity in the Second Amended Complaint. The identification of document categories shall not be construed as an admission or concession that documents within any such category are relevant or discoverable. Encompass reserves its right to object to the production of any document(s) identified below on the basis of privilege, work-product doctrine, relevance, undue burden, protected privacy interests, or any other valid objection:

1. Any and all documents relating to the Encompass claimant files pled in the Second Amended Complaint are contained in the individual claims files represented in the following chart designated by claimant name, claim number, and date of alleged loss:

Claim Number	DOL	Amt Pd	Last	First	Chiropractor
03326411	01/09/98	\$975.00	Tran	Hang	Culliney
03326411	01/09/98	\$970.00	Nguyen	Nguyet	Culliney
03374831	07/18/98	\$2,900.00	Roum	Saroeut	Culliney
03374831	07/18/98	\$1,377.00	Un	Sendy	Culliney
03374831	07/18/98	\$2,822.00	Un	Sokea	Culliney
03374831	07/18/98	\$1,375.00	Sim	Saroeut	Culliney
03374831	07/18/98	\$665.00	Un	Sokea	Culliney
03374831	07/18/98	\$1,907.00	Sim	Saroeut	Culliney
03374831	07/18/98	\$150.00	Sim	Saroeut	Culliney
03374831	07/18/98	\$177.00	Roum	Saroeut	Culliney
03331518	09/10/98	\$129.00	Hok	Tut	Culliney
03331518	09/10/98	\$3,896.00	Hok	Tut	Culliney
03379614	10/21/98	\$655.00	Nikki	Kim	Culliney
03379614	10/21/98	\$465.00	Nikki	Kim	Culliney
03381790	12/14/98	\$1,579.00	Chum	Sophala	Culliney
03381790	12/14/98	\$2,212.00	Prak	Sokcheath	Culliney
03381790	12/14/98	\$1,847.00	Chum	Sophala	Culliney
03381790	12/14/98	\$1,833.00	Prak	Sokcheath	Culliney
03381790	12/14/98	\$2,236.00	Chum	Sophala	Culliney
03381790	12/14/98	\$1,558.00	Chum	Sophala	Culliney
03421674	01/08/99	\$226.00	Thanongsinh	April	Culliney
03382948	02/02/99	\$2,000.00	Chuu	Saroen	Culliney
03382948	02/02/99	\$1,625.00	Chuu	Saroen	Culliney
03382948	02/02/99	\$1,625.00	Chhu	Saroeun	Culliney
03382948	02/02/99	\$1,625.00	Chhu	Saroeun	Culliney
03425232	04/25/99	\$150.00	Mak	Naravuth	Culliney
03425232	04/25/99	\$150.00	Mak	Sandy	Culliney
03425232	04/25/99	\$150.00	Vann	Emmy	Culliney
03425232	04/25/99	\$150.00	Mak	Naravuth	Culliney
03425232	04/25/99	\$2,763.00	Mak	Naravuth	Culliney
03425232	04/25/99	\$3,023.00	Vann	Emmy	Culliney
03425232	04/25/99	\$1,866.00	Mak	Sandy	Culliney
03425232	04/25/99	\$3,073.00	Naraguth	Norayuti	Culliney
03425856	05/16/99	\$2,000.00	Tim	Oeun	Culliney
03425856	05/16/99	\$2,000.00	Tim	Timmy	Culliney
03425856	05/16/99	\$1,199.00	Tim	Oeun	Culliney
03341477	10/29/99	\$1,068.00	Lang	Phally	Culliney
03341477	10/29/99	\$1,867.00	Lang	Phally	Culliney
03341477	10/29/99	\$695.00	Lang	Phally	Culliney
03432698	11/09/99	\$2,235.00	Ing	Peou	Culliney
03432698	11/09/99	\$960.00	Ing	Peou	Culliney
03438972	01/14/00	\$3,817.00	Mejia	Angela	Unknown
03438972	01/14/00	\$4,032.00	Disla	Juan	Unknown
03436611	02/20/00	\$2,000.00	Lim	Lan	Culliney
03436611	02/20/00	\$2,270.00	Lim	Lan	Culliney
03396719	03/12/00	\$2,000.00	Laing	Cynthia	Unknown
03439611	05/19/00	\$1,387.00	Yang	Sokhan	Culliney

Claim Number	DOL	Amt Pd	Last	First	Chiropractor
03439611	05/19/00	\$2,875.00	Yang	Sokhan	Culliney
03439668	05/22/00	\$2,495.00	Long	Veun	Culliney
03439668	05/22/00	\$80.00	Long	Veun	Culliney
03439668	05/22/00	\$1,610.00	Long	Veun	Culliney
03439668	05/22/00	\$75.00	Long	Veun	Culliney
03440595	06/15/00	\$95.00	Chhay	Sarin	Culliney
03440595	06/15/00	\$2,350.00	Chhay	Sarin	Culliney
03440595	06/15/00	\$970.00	Chhay	Sarin	Culliney
03440595	06/15/00	\$420.00	Chhay	Sarin	Culliney
03440595	06/15/00	\$505.00	Chhay	Sarin	Culliney
03447628	06/25/00	\$4,101.00	Ngeth	Veasha	Culliney
03447628	06/25/00	\$4,256.00	Ngeth	Samnang	Culliney
03391026	07/26/00	\$3,910.00	Phoung	Le	McConnell
03391026	07/26/00	\$110.00	Phoung	Le	McConnell
03391026	07/26/00	\$110.00	Phoung	Le	McConnell
03391026	07/26/00	\$110.00	Phoung	Le	McConnell
03391026	07/26/00	\$110.00	Phoung	Le	McConnell
03392271	08/29/00	\$1,775.00	Yem	Radet	Culliney
03413857	08/30/00	\$4,505.00	Narith	Dou	Culliney
03402742	09/08/00	\$3,030.00	Spey	Viphearea	Culliney
03402742	09/08/00	\$190.00	Tang	Sacha	Culliney
03402742	09/08/00	\$950.00	Spey	Viphearea	Culliney
03402742	09/08/00	\$1,130.00	Tang	Sacha	Culliney
03402742	09/08/00	\$555.00	Duongchack	Wilson	Culliney
03402742	09/08/00	\$1,585.00	Duongchack	Wilson	Culliney
03402742	09/08/00	\$415.00	Duongchack	Wilson	Culliney
03402742	09/08/00	\$415.00	Duongchack	Wilson	Culliney
03402742	09/08/00	\$2,810.00	Tang	Sacha	Culliney
03403606	10/06/00	\$150.00	Pina	Margarita	Winn
03414287	10/25/00	\$1,816.00	Khannanivongh	Khamsing	Culliney/McConnell
03414287	10/25/00	\$1,763.00	Uy	Doeun	Culliney/McConnell
03414660	11/01/00	\$3,885.00	TI	Ouk	McConnell
03415264	11/18/00	\$2,000.00	Suon	Bin	McConnell
03415264	11/18/00	\$2,000.00	Soeng	Ngeth	McConnell
03415432	11/25/00	\$2,108.00	Bou	Sarath	Culliney
03415432	11/25/00	\$1,993.00	Vorn	Saron	Culliney
03415432	11/25/00	\$1,963.00	Vorn	Saron	Culliney
03415432	11/25/00	\$2,493.00	Phan	Sophal	McConnell
03415432	11/25/00	\$1,760.00	Bou	Sarath	Culliney
03415449	11/25/00	\$3,508.00	Khim	Rumchek	Culliney
03415432	11/25/00	\$740.00	Phan	Sophal	McConnell
03415432	11/25/00	\$330.00	Vorn	Saron	Culliney
03415432	11/25/00	\$300.00	Phan	Sophal	McConnell
03415524	11/26/00	\$1,218.00	Kong	Sopeun	Culliney
03415760	11/26/00	\$2,028.00	Moun	Savy	McConnell
03415524	11/26/00	\$1,395.00	Keo	Eath	McConnell
03415524	11/26/00	\$2,805.00	Keo	Eath	McConnell

Claim Number	DOL	Amt Pd	Last	First	Chiropractor
03415760	11/26/00	\$1,765.00	Moun	Savy	McConnell
03417806	01/20/01	\$2,420.00	Men	Hoeurn	McConnell
03417806	01/20/01	\$1,455.00	Ngeth	Nhbem	McConnell
03418795	02/11/01	\$1,818.00	Bo.	Lysabad	Culliney
03418795	02/11/01	\$1,973.00	Sar	Sambun	Culliney
03418795	02/11/01	\$2,053.00	Mao	Samentha	McConnell
03418795	02/11/01	\$1,878.00	Bo	Samban	McConnell
03418795	02/11/01	\$1,958.00	Bo	Sambath	McConnell
03418795	02/11/01	\$1,968.00	Sar	Punlork	Culliney
03418795	02/11/01	\$1,150.00	Mao	Samentha	McConnell
03418795	02/11/01	\$2,220.00	Bo	Samban	McConnell
03418795	02/11/01	\$1,400.00	Bo	Sambath	McConnell
03418795	02/11/01	\$1,795.00	Bo.	Lysabad	Culliney
03418795	02/11/01	\$2,105.00	Sar	Sambun	Culliney
03418795	02/11/01	\$1,170.00	Sar	Punlork	Culliney
03418795	02/11/01	\$450.00	Sar	Punlork	Culliney
03418926	02/13/01	\$2,000.00	Kim	Nikki	Culliney
03442397	02/17/01	\$2,000.00	Som	Thanh	Culliney
03442397	02/17/01	\$1,880.00	Som	Thanh	Culliney
03442397	02/17/01	\$394.00	Som	Thanh	Culliney
03419107	02/18/01	\$1,631.00	Sarath	Heano	Culliney
03419107	02/18/01	\$444.00	Sarath	Heano	Culliney
03419107	02/18/01	\$4,250.00	Sok	Khawaii	McConnell
03419107	02/18/01	\$2,895.00	Neang	Kim	McConnell
03419107	02/18/01	\$3,765.00	Cang	Keo	McConnell
03419107	02/18/01	\$330.00	Sok	Khawaii	McConnell
03419107	02/18/01	\$1,615.00	Sarath	Heano	Culliney
03419107	02/18/01	\$600.00	Neang	Kim	McConnell
03419107	02/18/01	\$270.00	Neang	Kim	McConnell
03419107	02/18/01	\$90.00	Sarath	Heano	Culliney
03408504	02/23/01	\$3,505.00	Meas	Kevin	McConnell
03408504	02/23/01	\$2,905.00	Khut	Samnang	Culliney
03444156	03/06/01	\$4,100.00	Khuanphet	Anirut	McConnell
03420777	04/01/01	\$2,000.00	Men	Oeun	Culliney
03420777	04/01/01	\$2,035.00	Sok	Sart	Culliney
03420777	04/01/01	\$810.00	Sok	Sart	Culliney
03420777	04/01/01	\$2,313.00	Khent	Khen	Culliney
03420777	04/01/01	\$695.00	Khent	Khen	Culliney
03420777	04/01/01	\$1,115.00	Men	Oeun	Culliney
03420777	04/01/01	\$1,010.00	Khent	Khen	Culliney
03420777	04/01/01	\$1,115.00	Sok	Sart	Culliney
03420777	04/01/01	\$200.00	Men	Oeun	Culliney
03420777	04/01/01	\$695.00	Khent	Khen	Culliney
03420810	04/02/01	\$1,928.00	Real	Bin	McConnell
03420810	04/02/01	\$132.00	Real	Bin	McConnell
03420810	04/02/01	\$1,943.00	Phan	Nickie	McConnell
03420810	04/02/01	\$205.00	Phan	Nickie	McConnell

Claim Number	DOL	Amt Pd	Last	First	Chiropractor
03420810	04/02/01	\$1,920.00	Real	Bin	McConnell
03445147	05/10/01	\$1,652.00	Uong	Phamaro	Culliney
03445147	05/10/01	\$1,870.00	Um	Sophea	McConnell
03445147	05/10/01	\$2,497.00	Uong	Phamaro	Culliney
03445147	05/10/01	\$2,249.00	Um	Sophea	McConnell
03445338	05/16/01	\$4,547.00	Chhim	Phyrum	Culliney
03445338	05/16/01	\$4,582.00	So	Ratha	Culliney
03445702	05/28/01	\$270.00	Pho	Michael	Culliney
03445702	05/28/01	\$3,614.00	Pho	Michael	Culliney
03448741	08/06/01	\$2,099.00	Doung	Katie	Culliney
03448741	08/06/01	\$605.00	Doung	Katie	Culliney
03448741	08/06/01	\$180.00	Doung	Katie	Culliney
03448741	08/06/01	\$257.00	Doung	Katie	Culliney
03448910	08/14/01	\$2,119.00	Seng	Muth	Culliney
03448910	08/14/01	\$1,854.00	Chiv	Sunnak	Culliney
03448910	08/14/01	\$2,015.00	Seng	Sivinary	Culliney
03448910	08/14/01	\$1,341.00	Seng	Sivinary	Culliney
03448910	08/14/01	\$540.00	Seng	Muth	Culliney
03448910	08/14/01	\$951.00	Seng	Muth	Culliney
03448910	08/14/01	\$175.00	Chiv	Sunnak	Culliney
03448910	08/14/01	\$434.00	Seng	Sivinary	Culliney
03448910	08/14/01	\$1,699.00	Seng	Muth	Culliney
03448910	08/14/01	\$2,489.00	Seng	Vandary	Culliney
03448910	08/14/01	\$317.00	Seng	Sivinary	Culliney
03456762	09/06/01	\$2,789.00	Hou	Saroeun	McConnell
03456762	09/06/01	\$1,614.00	Nou	Pamela	McConnell
03456762	09/06/01	\$973.00	Hou	Saroeun	McConnell
03456832	09/08/01	\$105.00	Soum	Mike	McConnell
03456832	09/08/01	\$2,590.00	Soum	Mike	McConnell
03456832	09/08/01	\$2,433.00	Ou	Dalin	Culliney
03456832	09/08/01	\$1,717.00	Ou	Dalin	Culliney
03456832	09/08/01	\$1,947.00	Soum	Mike	McConnell
03456832	09/08/01	\$180.00	Ou	Dalin	Culliney
03457321	09/21/01	\$1,995.00	Chiv	Suntak	McConnell
03457313	09/22/01	\$472.00	Oeun	Tim	Culliney
03457313	09/22/01	\$1,315.00	Oeum	Tim	Culliney
03459630	11/26/01	\$1,465.00	It	Toun	Culliney
03459630	11/26/01	\$1,475.00	Hum	Hun	Culliney
03459630	11/26/01	\$2,261.00	Pei	Tuy	Culliney
03459630	11/26/01	\$77.00	It	Toun	Culliney
03459630	11/26/01	\$1,038.00	It	Toun	Culliney
03459630	11/26/01	\$640.00	It	Toun	Culliney
03459630	11/26/01	\$1,656.00	It	Toun	Culliney
03459630	11/26/01	\$1,465.00	It	Toun	Culliney
03459630	11/26/01	\$1,465.00	It	Toun	Culliney
03459630	11/26/01	\$115.00	Pei	Tuy	Culliney
03459630	11/26/01	\$1,893.00	Hum	Hun	Culliney

Claim Number	DOL	Amt Pd	Last	First	Chiropractor
03459630	11/26/01	\$1,693.00	Bun	Jim	Culliney
03459630	11/26/01	\$1,970.00	Pei	Tuy	Culliney
03461410	01/15/02	\$2,000.00	Ros	Sarath	Culliney
03461410	01/15/02	\$2,000.00	Chantha	Bunthy	McConnell
03461410	01/15/02	\$550.00	Chantha	Bun	McConnell
03461410	01/15/02	\$1,133.00	Chantha	Bun	McConnell
03461410	01/15/02	\$365.00	Chantha	Bun	McConnell
03461410	01/15/02	\$486.00	Chantha	Bun	McConnell
03461410	01/15/02	\$693.00	Chantha	Bun	McConnell
03467194	01/30/02	\$1,040.00	Taylor	Paul	Culliney
03467194	01/30/02	\$1,178.00	Taylor	Paul	McConnell
03467477	02/07/02	\$1,450.00	Ung	Chithra	Culliney
03467477	02/07/02	\$1,475.00	Long	Pholla	Culliney
03467477	02/07/02	\$1,560.00	Ung	Volak	Culliney
03467477	02/07/02	\$1,025.00	Ung	Sophinna	McConnell
03467477	02/07/02	\$1,640.00	San	Samnang	McConnell
03462436	02/13/02	\$1,805.00	Chhaim	Ry	McConnell
03462436	02/13/02	\$1,585.00	Pin	Boeuk	McConnell
03462436	02/13/02	\$1,620.00	Chhean	Sar	Culliney
03462436	02/13/02	\$175.00	Chantha	Bunthy	McConnell
03462771	02/24/02	\$1,495.00	Phan	Savuth	McConnell
03462771	02/24/02	\$1,726.00	So	Nheop	McConnell
03462771	02/24/02	\$1,975.00	So	Paulika	McConnell
03462771	02/24/02	\$2,356.00	So	Chertra	McConnell
03462771	02/24/02	\$1,735.00	So	Phaectra	McConnell
03468665	03/15/02	\$4,894.00	Mam	Sitha	McConnell
03468665	03/15/02	\$4,431.00	Ngeth	Sitha	McConnell
03468665	03/15/02	\$4,754.00	Ngeth	Samnang	McConnell
03468665	03/15/02	\$423.00	Ngeth	Sitha	McConnell
03468725	03/18/02	\$2,030.00	Krapomroth	Khim	McConnell
03468725	03/18/02	\$2,440.00	Sophay	Porth	McConnell
03468725	03/18/02	\$2,000.00	Phoeun	Sam	Klug
03468725	03/18/02	\$345.00	Krapomroth	Khim	McConnell
03468725	03/18/02	\$285.00	Sophay	Porth	McConnell
03468725	03/18/02	\$460.00	Krapomroth	Khim	McConnell
03468725	03/18/02	\$1,220.00	Sophay	Porth	McConnell
03468725	03/18/02	\$886.00	Sophay	Porth	McConnell
03469203	03/29/02	\$3,351.00	Ban	Kimsat	Culliney
03469203	03/29/02	\$1,515.00	Ban	Kimsat	Culliney
03469203	03/29/02	\$1,515.00	Ban	At	Culliney
03469203	03/29/02	\$210.00	Ban	Kimsat	Culliney
03469371	04/04/02	\$2,326.00	Vat	Savann	Unknown
03469510	04/07/02	\$349.00	Bun	Sakhan	Culliney
03469510	04/07/02	\$505.00	Ath	Tina	Unknown
03469757	04/15/02	\$1,290.00	Lay	Khon	Simpson
03469757	04/15/02	\$2,080.00	Lay	Khon	Simpson
03470054	04/19/02	\$4,411.00	Panya	Manila	Culliney

Claim Number	DOL	Amt Pd	Last	First	Chiropractor
03470054	04/19/02	\$280.00	Panya	Manila	Culliney
03470054	04/19/02	\$210.00	Panya	Manila	Culliney
03470133	04/20/02	\$3,101.00	Meng	Bunkea	Culliney
03470133	04/20/02	\$1,901.00	Sim	Rockenna	McConnell
03470133	04/20/02	\$1,868.00	Meng	Bunkea	Culliney
03464524	04/23/02	\$3,733.00	Seng	Melody	McConnell
03464524	04/23/02	\$3,613.00	Seng	Jerry	Culliney
03464524	04/23/02	\$2,000.00	Sok	Mon	Culliney
03464524	04/23/02	\$2,000.00	Sok	Mon	Culliney
03465736	06/04/02	\$2,456.00	Kang	Chhang	Culliney
03465736	06/04/02	\$1,725.00	Phoun	Phala	McConnell
03465736	06/04/02	\$1,521.00	Phoun	Phala	McConnell
03465736	06/04/02	\$1,045.00	Kang	Chhang	Culliney
03465736	06/04/02	\$1,890.00	Kong	Chanda	Culliney
03465736	06/04/02	\$1,281.00	Kong	Chanda	Culliney
03465736	06/04/02	\$1,195.00	Phoun	Phala	McConnell
03465736	06/04/02	\$525.00	Kong	Chanda	Culliney
03465736	06/04/02	\$1,135.00	Kang	Chhang	Culliney
03465736	06/04/02	\$530.00	Kong	Chanda	Culliney
03473966	07/15/02	\$1,883.00	Melo	Diane	Culliney
03473966	07/15/02	\$1,782.00	Melo	Diane	Culliney
03474153	07/18/02	\$4,794.00	Chhim	Phyrum	Culliney
03475016	08/03/02	\$2,321.00	Taing	Song	Culliney/McConnell
03475016	08/03/02	\$580.00	Taing	Song	Culliney/McConnell
03475016	08/03/02	\$220.00	Taing	Song	Culliney/McConnell
03475016	08/03/02	\$1,145.00	Taing	Song	Culliney/McConnell
03475016	08/03/02	\$210.00	Taing	Song	Culliney/McConnell
03475016	08/03/02	\$315.00	Taing	Song	Culliney/McConnell
03479077	09/07/02	\$2,835.00	Panya	Khanm	McConnell
03479077	09/07/02	\$2,955.00	Phonphiphak	Kongkeo	Gill
03479077	09/07/02	\$495.00	Phonphiphak	Kongkeo	Gill
03485151	09/16/02	\$470.00	Soeun	Susie	Culliney
03485151	09/16/02	\$445.00	Soeun	Susie	Culliney
03485151	09/16/02	\$465.00	Soeun	Susie	Culliney
03485151	09/16/02	\$400.00	Phay	RON	Gill
03485151	09/16/02	\$2,320.00	Phay	RON	Gill
03485151	09/16/02	\$140.00	Phay	RON	Gill
03485151	09/16/02	\$2,040.00	Soeun	Susie	Culliney
03485151	09/16/02	\$575.00	Phay	Ron	Gill
03485151	09/16/02	\$140.00	Phay	Ron	Gill
03485151	09/16/02	\$300.00	Phay	Ron	Gill
03485151	09/16/02	\$365.00	Phay	Ron	Gill
03485151	09/16/02	\$105.00	Phay	Ron	Gill
03485151	09/16/02	\$405.00	Soeun	Susie	Culliney
03485151	09/16/02	\$470.00	Soeun	Susie	Culliney
03485151	09/16/02	\$470.00	Soeun	Susie	Culliney
03485151	09/16/02	\$175.00	Soeun	Susie	Culliney

Claim Number	DOL	Amt Pd	Last	First	Chiropractor
03479384	09/17/02	\$525.00	Meach	Melinda	McConnell
03486571	09/18/02	\$235.00	Uy	Sovanna	McConnell
03486571	09/18/02	\$1,768.00	Uy	Lath	McConnell
03486571	09/18/02	\$2,030.00	Uy	Sovanna	McConnell
03486571	09/18/02	\$235.00	Uy	Sovanna	McConnell
03486571	09/18/02	\$185.00	Uy	Sovanna	McConnell
03485991	10/02/02	\$325.00	Sok	Pheakley	McConnell
03485991	10/02/02	\$260.00	Sok	Pheakley	McConnell
03485991	10/02/02	\$465.00	Chan	Ly	McConnell
03485991	10/02/02	\$280.00	Chan	Ly	McConnell
03485991	10/02/02	\$210.00	Sok	Pheakley	McConnell
03485991	10/02/02	\$2,615.00	Chan	Ly	McConnell
03485991	10/02/02	\$1,920.00	Sok	Pheakley	McConnell
03485991	10/02/02	\$190.00	Chan	Ly	McConnell
03485991	10/02/02	\$260.00	Sok	Pheakley	McConnell
03485991	10/02/02	\$300.00	Chan	Ly	McConnell
03485991	10/02/02	\$495.00	Sok	Pheakley	McConnell
03485991	10/02/02	\$460.00	Sok	Pheakley	McConnell
03485991	10/02/02	\$420.00	Sok	Pheakley	McConnell
03449560	10/05/02	\$815.00	Samith	Morn	McConnell
03449560	10/05/02	\$1,615.00	Samith	Morn	McConnell
03449560	10/05/02	\$1,400.00	Samith	Morn	McConnell
03449560	10/05/02	\$530.00	Samith	Morn	McConnell
03486642	10/16/02	\$440.00	Tith	Den	Culliney/McConnell
03486642	10/16/02	\$440.00	Tith	Den	Culliney/McConnell
03486642	10/16/02	\$2,270.00	Tith	Den	Culliney/McConnell
03486642	10/16/02	\$115.00	Tith	Den	Culliney/McConnell
03486642	10/16/02	\$415.00	Tith	Den	Culliney/McConnell
03486642	10/16/02	\$600.00	Tith	Den	Culliney/McConnell
03486642	10/16/02	\$420.00	Tith	Den	Culliney/McConnell
03486647	10/16/02	\$2,200.00	Lam	Vich	Culliney
03486647	10/16/02	\$720.00	Lam	Vich	Culliney
03486647	10/16/02	\$370.00	Lam	Vich	Culliney
03486647	10/16/02	\$250.00	Lam	Vich	Culliney
03486795	10/19/02	\$470.00	Yonn	Savonn	Portillo
03486795	10/19/02	\$440.00	Yonn	Savonn	Portillo
03486795	10/19/02	\$375.00	Yonn	Savonn	Portillo
03486795	10/19/02	\$2,770.00	Yonn	Savonn	Portillo
03486795	10/19/02	\$365.00	Yonn	Savonn	Portillo
03486795	10/19/02	\$175.00	Yonn	Savonn	Portillo
03487016	10/23/02	\$465.00	Phanthavong	Diane	Culliney
03487016	10/23/02	\$1,535.00	Phanthavong	Diane	Culliney
03487016	10/23/02	\$510.00	Chum	Rida	Culliney
03487016	10/23/02	\$1,490.00	Chum	Rida	Culliney
03487016	10/23/02	\$895.00	Phanthavong	Diane	Culliney
03487016	10/23/02	\$710.00	Chum	Rida	Culliney
03487016	10/23/02	\$1,885.00	Phanthavong	Diane	Culliney

Claim Number	DOL	Amt Pd	Last	First	Chiropractor
03487016	10/23/02	\$1,300.00	Chum	Rida	Culliney
03487016	10/23/02	\$645.00	Phanthavong	Diane	Culliney
03487016	10/23/02	\$645.00	Phanthavong	Diane	Culliney
03487016	10/23/02	\$645.00	Chum	Rida	Culliney
03487016	10/23/02	\$305.00	Jiraud	Christa	Culliney
03487193	10/26/02	\$2,040.00	Uy	Sophannee	Portillo
03487193	10/26/02	\$420.00	Uy	Sophannee	Portillo
03487193	10/26/02	\$365.00	Sam	Sakun	Portillo
03487193	10/26/02	\$1,526.00	Sam	Sakun	Portillo
03487193	10/26/02	\$365.00	Sam	Sakun	Portillo
03480962	11/18/02	\$2,345.00	Theng	Chea	McConnell
03480962	11/18/02	\$2,255.00	Theng	Chea	McConnell
03481235	11/27/02	\$1,910.00	Kong	Sally	Taylor
03481235	11/27/02	\$295.00	Kong	Sally	Taylor
03481722	12/12/02	\$480.00	Him	Saron	Culliney
03481722	12/12/02	\$210.00	Him	Saron	Culliney
03481722	12/12/02	\$1,830.00	Him	Saron	Culliney
03481722	12/12/02	\$175.00	Him	Saron	Culliney
03481654	12/13/02	\$505.00	Ngeth	Mao	McConnell
03481654	12/13/02	\$585.00	Hem	Nhoeun	McConnell
03481654	12/13/02	\$465.00	Hem	Nhoeun	McConnell
03481654	12/13/02	\$2,115.00	Ngeth	Mao	McConnell
03481654	12/13/02	\$510.00	Hem	Nhoeun	McConnell
03481654	12/13/02	\$465.00	Ngeth	Mao	McConnell
03481654	12/13/02	\$255.00	Ngeth	Mao	McConnell
03490345	12/26/02	\$495.00	Mao	Rithy	Culliney
03490345	12/26/02	\$575.00	Mao	Rithy	Culliney
03490345	12/26/02	\$465.00	Mao	Rithy	Culliney
03490345	12/26/02	\$465.00	Mao	Rithy	Culliney
03490345	12/26/02	\$210.00	Mao	Rithy	Culliney
03490345	12/26/02	\$2,315.00	Mao	Rithy	Culliney
03482803	01/21/03	\$2,155.00	Veuk	Thavere	Klug
03482803	01/21/03	\$645.00	Veuk	Thavere	Klug
03482803	01/21/03	\$2,160.00	Veuk	Sareth	McConnell
03482803	01/21/03	\$550.00	Veuk	Sareth	McConnell
03482803	01/21/03	\$440.00	Veuk	Sareth	McConnell
03482803	01/21/03	\$310.00	Veuk	Sareth	McConnell
03482803	01/21/03	\$370.00	Veuk	Sareth	McConnell
03482803	01/21/03	\$530.00	Veuk	Thavere	Klug
03482803	01/21/03	\$460.00	Veuk	Thavere	Klug
03482803	01/21/03	\$355.00	Veuk	Thavere	Klug
03482803	01/21/03	\$630.00	Veuk	Thavere	Klug
03482803	01/21/03	\$640.00	Veuk	Sareth	McConnell
03482803	01/21/03	\$520.00	Veuk	Sareth	McConnell
03482803	01/21/03	\$328.00	Veuk	Thavere	Klug
03482803	01/21/03	\$315.00	Veuk	Sareth	McConnell

Claim Number	DOL	Amt Pd	Last	First	Chiropractor
03482803	01/21/03	\$175.00	Veuk	Sareth	McConnell
03482803	01/21/03	\$630.00	Veuk	Thavere	Klug
03483246	02/07/03	\$390.00	Sims	Phath	Culliney/McConnell
03483246	02/07/03	\$630.00	Sims	Phath	Culliney/McConnell
03483246	02/07/03	\$490.00	Sims	Phath	Culliney/McConnell
03483246	02/07/03	\$457.00	Sims	Phath	Culliney/McConnell
03483246	02/07/03	\$1,699.00	Sims	Phath	Culliney/McConnell
03483246	02/07/03	\$534.00	Sims	Phath	Culliney/McConnell
03483838	02/14/03	\$2,000.00	Phlong	Sokean	McConnell
03483838	02/14/03	\$1,795.00	Oeur	Brando	McConnell
03483838	02/14/03	\$102.00	Phlong	Sokean	McConnell
03483838	02/14/03	\$1,465.00	Phlong	Sokean	McConnell
03483838	02/14/03	\$1,083.00	Oeur	Brando	McConnell
03500338	03/24/03	\$550.00	Rom	Jimmy	Culliney
03500338	03/24/03	\$400.00	Liv	Kong	McConnell
03500338	03/24/03	\$210.00	Rom	Jimmy	Culliney
03500338	03/24/03	\$328.00	Liv	Kong	McConnell
03500338	03/24/03	\$1,993.00	Liv	Kong	McConnell
03500338	03/24/03	\$350.00	Liv	Kong	McConnell
03500338	03/24/03	\$328.00	Liv	Kong	McConnell
03500338	03/24/03	\$1,705.00	Rom	Jimmy	Culliney
03500338	03/24/03	\$1,705.00	Rom	Jimmy	Culliney
03500338	03/24/03	\$1,740.00	Rom	John	Culliney
03500338	03/24/03	\$320.00	Rom	John	Culliney
03500338	03/24/03	\$1,740.00	Rom	John	Culliney
03500338	03/24/03	\$320.00	Rom	John	Culliney
03500623	03/28/03	\$1,428.00	Phal	Channak	Culliney
03500623	03/28/03	\$24.00	Phal	Channak	Culliney
03500623	03/28/03	\$24.00	Phal	Channak	Culliney
03491088	04/15/03	\$770.00	Uy	Sophanee	Portillo
03491823	05/23/03	\$1,362.00	Rom	John	Culliney
03504357	06/03/03	\$1,635.00	Sem	Sokhan	McConnell
03504357	06/03/03	\$1,553.00	Sem	Chantha	Culliney
03504357	06/03/03	\$2,000.00	Sem	Sakhoeui	Culliney
03504357	06/03/03	\$460.00	Toch	Reath	Culliney
03504357	06/03/03	\$2,060.00	Toch	Reath	Culliney
03504357	06/03/03	\$575.00	Dam	Channar	McConnell
03504357	06/03/03	\$1,860.00	Dam	Channar	McConnell
03504357	06/03/03	\$371.00	Sem	Sokhon	Culliney
03504357	06/03/03	\$317.00	Toch	Reath	Culliney
03504357	06/03/03	\$384.00	Toch	Reath	Culliney
03504357	06/03/03	\$371.00	Sem	Sokhon	Culliney
03504357	06/03/03	\$391.00	Dam	Channar	McConnell
03504357	06/03/03	\$140.00	Dam	Channar	McConnell
03504357	06/03/03	\$430.00	Sem	Sokhom	McConnell
03504357	06/03/03	\$317.00	Toch	Reath	Culliney
03504357	06/03/03	\$177.00	Sem	Sokhon	McConnell

Claim Number	DOL	Amt Pd	Last	First	Chiropractor
03504357	06/03/03	\$442.00	Sem	Sokhom	McConnell
03504357	06/03/03	\$280.00	Toch	Reath	Culliney
03504357	06/03/03	\$282.00	Dam	Channar	McConnell
03504357	06/03/03	\$70.00	Sem	Sokhom	McConnell
03504357	06/03/03	\$1,880.00	Sem	Sakhoeui	Culliney
03504357	06/03/03	\$2,447.00	Sem	Chantha	Culliney
03504357	06/03/03	\$1,540.00	Sem	Sokhan	Culliney
03504357	06/03/03	\$214.00	Sem	Sakhoeui	Culliney
03504357	06/03/03	\$210.00	Dam	Channar	McConnell
03504357	06/03/03	\$107.00	Toch	Reath	Culliney
03504357	06/03/03	\$802.00	Dam	Channar	McConnell
03504357	06/03/03	\$671.00	Toch	Reath	Culliney
03504615	06/07/03	\$1,140.00	Kmsan	Mom	McConnell
03504615	06/07/03	\$605.00	Chea	Vannak	McConnell
03504615	06/07/03	\$284.00	Chea	Vannak	McConnell
03504615	06/07/03	\$544.00	Chea	Vannak	McConnell
03504615	06/07/03	\$252.00	Chea	Vannak	McConnell
03504615	06/07/03	\$177.00	Chea	Vannak	McConnell
03504615	06/07/03	\$1,932.00	Chea	Vannak	McConnell
03504615	06/07/03	\$420.00	Chea	Vannak	McConnell
03506013	06/12/03	\$2,520.00	Eang	Sokunth	Culliney
03505976	06/28/03	\$1,434.00	Keo	Kothatom	McConnell
03505976	06/28/03	\$1,900.00	Phanthanousinh	Vantp	Culliney
03506712	07/11/03	\$2,000.00	Rom	John	Culliney
03506712	07/11/03	\$1,870.00	Liv	Kong	McConnell
03506712	07/11/03	\$130.00	Liv	Kong	McConnell
03506712	07/11/03	\$349.00	Liv	Kong	McConnell
03506712	07/11/03	\$901.00	Rom	John	Culliney
03510448	07/26/03	\$441.00	Sambath	Kim	McConnell
03510448	07/26/03	\$321.00	Eang	Sophannar	McConnell
03510448	07/26/03	\$107.00	Eang	Sophannar	McConnell
03510448	07/26/03	\$247.00	Sok	Samnang	Culliney
03510448	07/26/03	\$105.00	Sok	Samnang	Culliney
03510448	07/26/03	\$2,961.00	Sambath	Kim	McConnell
03510448	07/26/03	\$225.00	Sambath	Kim	McConnell
03510448	07/26/03	\$105.00	Sok	Samnang	Culliney
03510448	07/26/03	\$2,961.00	Sambath	Kim	McConnell
03510448	07/26/03	\$225.00	Sambath	Kim	McConnell
03508820	08/12/03	\$610.00	Mam	Katherine	McConnell
03508820	08/12/03	\$1,478.00	Nuth	Kim	McConnell
03508820	08/12/03	\$846.00	Nuth	Linda	McConnell
03508820	08/12/03	\$1,080.00	Mam	Katherine	McConnell
03511086	09/18/03	\$277.00	Samith	Morin	McConnell
03511086	09/18/03	\$277.00	Samith	Morin	McConnell
03511086	09/18/03	\$531.00	Samith	Morin	McConnell
03511086	09/18/03	\$1,557.00	Samith	Morin	McConnell
03511086	09/18/03	\$415.00	Samith	Morin	McConnell

Claim Number	DOL	Amt Pd	Last	First	Chiropractor
03511086	09/18/03	\$887.00	Samith	Morin	McConnell
03511086	09/18/03	\$1,674.00	Suon	Thea	McConnell
03511086	09/18/03	\$2,830.00	Suon	Thea	McConnell
03513997	10/27/03	\$862.00	Peov	Kan	McConnell
03513997	10/27/03	\$2,287.00	Rath	Chareth	Unknown
03513997	10/27/03	\$862.00	Rath	Kristina	McConnell
03513997	10/27/03	\$2,302.00	Phan	Saleen	McConnell
03513997	10/27/03	\$867.00	Khiaosoth	Vong	McConnell
03514331	11/07/03	\$1,490.00	Phim	Chhat	McConnell
03493502	12/08/03	\$2,000.00	Melo	Diane	Culliney
03493502	12/08/03	\$837.00	Melo	Diane	Culliney
03530556	12/10/03	\$1,016.00	Truong	Ken	Klug
03530556	12/10/03	\$1,123.00	Truong	Ken	Klug
03530556	12/10/03	\$297.00	Truong	Ken	Klug
03532353	01/02/04	\$478.00	Song	Pat	Blake/Klug
03532767	01/10/04	\$1,740.00	Delavalle	Robert	McConnell
03532767	01/10/04	\$2,525.00	Molina	Demetri	McConnell
03532767	01/10/04	\$2,385.00	Carrasquillo	Alma	McConnell
03532767	01/10/04	\$1,740.00	Delavalle	Robert	McConnell
03533438	01/19/04	\$1,310.00	Inthabane	Michael	Klug
03536789	03/16/04	\$665.00	Vong	Savy	Klug
03536789	03/16/04	\$1,057.00	Vong	Savy	Klug
03536789	03/16/04	\$278.00	Vong	Savy	Klug
03540127	05/14/04	\$989.00	Sok	Sam	McConnell/Blake
03540127	05/14/04	\$309.00	Sok	Sam	McConnell/Blake

2. Documents created by Encompass' Special Investigative Unit or other outside investigatory vendors and/or agencies related to the investigation of the claims pled with particularity in Encompass' Second Amended Complaint. Encompass objects to the production of certain of these documents based upon the exception for materials produced in anticipation of litigation, the work-product doctrine, and attorney-client privilege.

3. Documents between Encompass and its legal counsel. Encompass objects to the production of certain of these documents based on the attorney-client privilege, work-product doctrine and the exception for materials produced in anticipation of litigation.

4. Documents between Encompass and law enforcement entities, and/or regulatory organizations. Encompass objects to the production of certain of these documents based on the attorney-client privilege, work-product doctrine and the exception for materials produced in anticipation of litigation.

5. To the extent that the above-described documents have not been disclosed in the pleadings and other documents filed with the Court or served on the parties to date, any such documents may be made available at the offices of Smith & Brink, P.C., 122 Quincy Shore Drive, Quincy, Massachusetts, in accordance with applicable discovery rules at a date and time mutually convenient to the parties and their counsel.

C. Calculation of Damages: Rule 26(a)(1)(C)

Encompass' damages at this early stage in litigation are not ascertainable with absolute precision. Encompass' damages resulted from payment on false and fraudulent medical bills and payment of artificially inflated tort settlements and verdicts resulting from the defendants' alleged involvement in a claimant's medical treatment, as follows:

- (1) the deprivation of Encompass' ability to conduct its insurance businesses on the basis of true, accurate, and complete assessments of legitimate, compensable claims;
- (2) the loss of funds paid for false and fraudulent (whether wholly fictitious or grossly inflated) bills for services, which funds, in part, enabled the defendants to continue secretly its pattern of illegal activities and enhance its ability to harm further Encompass' business by and through the operation of the fraudulent enterprise;

- (3) settlement payments to claimants in third-party, bodily-injury claims and first-party, uninsured motorist claims (to the extent such payments were caused by defendants' fraudulent medical documentation and billing);
 - (4) payments on judgments in third-party cases where plaintiffs were obligated to pay bodily-injury tort awards (or uninsured motorist awards) that were artificially and falsely inflated (or based entirely upon) defendants' false medical documentation;
 - (5) the expenses incurred to review, adjust, investigate, litigate and pay the false and fraudulent claims created by the defendants and supported defendants' operation of enterprises through a pattern of illegal activity;
 - (6) the past and continuing financial burden incurred by Encompass to establish and carry out systems and policies to detect false, fraudulent, and inflated claims;
 - (7) payments in connection with first-party claims in the amount of \$625,386.00; and
 - (8) Encompass has identified other files generated by defendants which appear to bear the same pattern of false medical documentation.
- Encompass reserves its right to supplement its demand in connection with any such after-determined first and third party payment fraud as warranted under the Rules or allowed by leave of Court.

Encompass continues to accrue damages which include fees and costs associated with the discovery, investigation and necessary legal action taken in connection with the

insurance fraud scheme detailed in Encompass' Complaint. Accordingly, Encompass reserves its right to supplemental this response.

D. Disclosure of Insurance Agreements: Rule 26(a)(1)(D)

Encompass is not aware of any insurance agreement(s) that may be or may become available to any and/or all defendants indemnifying them against judgment entered in this matter. By its Second Amended Complaint, Encompass alleges that all of the conduct engaged in by the defendants was intentional. \

E. Disclosure of Expert Testimony: Rule 26(a)(2)

Michael Frustaci, D.C. will testify regarding the fraudulent medical billing pattern contained within the First Spine records and invoices generated by the defendants in connection with alleged treatment of Encompass claimants.

Encompass reserves the right to supplement this disclosure regarding expert testimony as permitted by rule, this Court's Scheduling Order date January 11, 2007, and/or pursuant to allowance or order of the court.

Encompass respectfully reserves the right to supplement this response as permissible under applicable law.

III. SUPPLEMENTATION

Encompass respectfully and specifically reserves its right to supplement each section of this Rule 26 Disclosure with further disclosure as additional investigation and circumstances merit and as any applicable rules or court orders require.

Respectfully Submitted
Encompass Insurance Company
By their Attorneys,

/s/ Richard D. King, Jr.
/s/ Nathan A. Tilden

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